

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

* * * * *

In the Matter of:

CONSOLIDATED TV CABLE SERVICE, INC.)	
AND HOWARD NORRELL)	
COMPLAINANTS)	
)	
VS.)	CASE NO. 9458
)	
SOUTH CENTRAL BELL TELEPHONE)	
COMPANY)	
DEFENDANT)	

ORDER TO SATISFY OR ANSWER

South Central Bell Telephone Company is hereby notified that it has been named as Defendant in a formal complaint filed on November 8, 1985, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, South Central Bell Telephone Company is hereby ORDERED to satisfy the matters complained of or to file a written answer to the complaint by November 27, 1985.

Done at Frankfort, Kentucky, this 14th day of November, 1985.

PUBLIC SERVICE COMMISSION

Richard D. Deman
For the Commission

ATTEST:

Secretary

FILED

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BEFORE THE PUBLIC SERVICE COMMISSISON
NO. _____

PUBLIC SERVICE
COMMISSION

CONSOLIDATED TV CABLE SERVICE, INC.
AND HOWARD NORRELL

COMPLAINANTS

V.

C.N. 9458

SOUTH CENTRAL BELL TELEPHONE COMPANY

DEFENDANT

COMPLAINT

The complaint of Consolidated TV Cable Service, Inc. and Howard Norrell respectfully shows:

(a) That Consolidated TV Cable Service, Inc. is a cable television service located at 226 West Main Street, Frankfort, Kentucky and that Howard Norrell is the owner and operator of said cable television service. (Complainants will be referred to as "Consolidated.")

(b) That South Central Bell Telephone Company ("Bell") is a public utility regulated by this Commission, which provides telephone service in the area in which Consolidated provides cable television service. Bell's address is 601 West Chestnut, Louisville, Kentucky (Att. Creighton Mershon).

(c) That

- * The Public Service Commission of Kentucky's Tarriff 1F, regulating Pole and Anchor Attachment and Conduit Occupancy Accommodations for CATV, went into effect on October 13, 1983;
- * Pursuant to Tariff 1F, Bell has billed Consolidated the sum of \$17,221.64 (seventeen thousand, two hundred and twenty one dollars and sixty four cents) for pole attachment rental, \$313.50 (three hundred and thirteen dollars and fifty cents) for

preliminary survey costs, and \$499.36 (four hundred and ninety-nine dollars and thirty-six cents) for make ready costs for joint use attachments; Consolidated has paid these bills in full;

- * Community Service, Inc. is a cable television company which is in direct economic competition with Consolidated in the Frankfort, Kentucky area;
- * Bell has provided pole attachments to Community Service, Inc. free of charge since the effective date of Tariff 1F in violation of KRS 278.170; Bell has further granted an illegal preference to Community Service, Inc. by failing to charge Community Service, Inc. for preliminary survey costs and make ready costs, in violation of KRS 278.170.

WHEREFORE, complainants respectfully request this Commission to order Bell to:

- a) refund all sums paid to Bell by Consolidated under Tariff 1F (or, alternatively, collect all sums due from Community Service, Inc. under Tariff 1F from October 13, 1983 through the present); and
- b) cease and desist in its discrimination against Consolidated;

Dated at Frankfort, Kentucky, this 5th day of November, 1985.

COMPLAINANTS:
Consolidated TV Cable Service, Inc.
Howard Norrell

BY:

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